

**ANNUAL REPORT  
ON THE  
COLORADO RIVER BASIN  
SALINITY CONTROL PROGRAM**

**2018**

**COLORADO RIVER BASIN SALINITY CONTROL  
ADVISORY COUNCIL**

**December 31, 2018**

## TABLE OF CONTENTS

Table of Contents .....	i
Background .....	1
Council Comments and Recommendations .....	3
General Subjects.....	3
U.S. Department of Agriculture (USDA) .....	5
Natural Resources Conservation Service (NRCS) .....	5
U.S. Department of the Interior (DOI).....	9
Bureau of Reclamation (Reclamation) .....	9
Bureau of Land Management (BLM).....	13
U.S. Geological Survey (USGS) .....	16
U.S. Fish & Wildlife Service (USFWS).....	17
Environmental Protection Agency (EPA).....	20
International Boundary and Water Commission (IBWC) .....	21
Management and Budget Recommendations .....	22
U.S. Department of the Interior .....	23
Basinwide Program (Reclamation) .....	23
Bureau of Land Management.....	24
U.S. Department of Agriculture .....	25
EQIP (NRCS) .....	25
Conclusion .....	28

### Tables

1 – Funding Recommendations – Department of the Interior .....	27
2 – Funding Recommendations – EQIP .....	27

### Attachments

- A – Colorado River Basin Salinity Control Advisory Council Charter
- B – Advisory Council Membership as of December 31, 2018
- C – Federal Responses to the 2017 Advisory Council Report

## **BACKGROUND**

Title II of the Colorado River Basin Salinity Control Act (Act) (Public Law 93-320) created the Colorado River Basin Salinity Control Program (Program), and Section 204 of the Act created the Colorado River Basin Salinity Control Advisory Council (Council). With the 2008 amendments to the Act that created the Basin States Program (BSP), the Council's consultation responsibilities have been redefined and clearly stated. The Secretary of the Department of the Interior, the Secretary of the Department of Agriculture and the Administrator of the Environmental Protection Agency (EPA) originally approved a charter for the Council on February 6, 1976. In 2010 the Charter was revised to better reflect the Legislative changes that occurred to the Program in 2008. The Charter was renewed in 2018 and will need to be renewed again in 2020. A copy of the current Council Charter is included as Attachment A.

The Council consists of up to three members from each of the seven Colorado River Basin States. Governors of their respective states appoint the Council members. The Council membership list as of December 31, 2018, is included as Attachment B. The Council has created a Technical Advisory Group (TAG) that it uses to provide analyses and recommendations. The TAG includes one member from each state. Its chair is appointed by the Council's Chair.

All of the Council members at this time are also members of the Colorado River Basin Salinity Control Forum (Forum). The Forum is an organization created in 1973 by the seven Colorado River Basin States for the purpose of interstate cooperation and to provide the states with the information necessary to comply with the Water Quality Standards for Salinity on the Colorado River and Section 303 of the Clean Water Act. The Forum, like the Council, has an advisory and analytical group which is named the Forum's Work Group (Work Group).

This report provides annual recommendations to the federal agencies concerning the progress of the Program and the need for specific actions by involved federal agencies.

This report comments on the actions taken by the federal agencies through December 31, 2018.

The report does not attempt to fully describe or analyze the Program. Readers unfamiliar with the Program should refer to *Quality of Water, Colorado River Basin, Progress Report No. 25, 2017*, and the *2017 Review, Water Quality Standards for Salinity, Colorado River System, October 2017* (2017 Review) for a discussion of the Program. The first report is available at [www.usbr.gov/uc/progact/salinity/pdfs/PR25final.pdf](http://www.usbr.gov/uc/progact/salinity/pdfs/PR25final.pdf) or by contacting Kib Jacobson, Program Manager for the Bureau of Reclamation's (Reclamation) portion of the Program. The second report is available at [www.ColoradoRiverSalinity.org](http://www.ColoradoRiverSalinity.org) or by contacting Don A. Barnett, the Executive Director for the Forum. The addresses and phone numbers for Reclamation and the Forum are provided at the end of this report.

The Council met twice in 2018. The meetings were held on May 16 – 17, 2018 in St. George, Utah and October 29 – 30 in Santa Fe, New Mexico. At the meetings the Council heard summaries of activities and reports of accomplishments in Fiscal Year 2018 (FY-2018). It further discussed the federal agencies' responses to the 2017 Advisory Council Report. The Council provided the federal agencies the opportunity to report orally and to explain these responses to the 2017 Advisory Council Report. Included in this report as Attachment C are the federal written responses to the 2017 Advisory Council Report. At these meetings the Council also heard reports from the federal agencies on implementation of the Program during FY-2018 and discussed the substance of this report. The Council appreciates the efforts of the federal agencies to summarize Program accomplishments into a timely, informative and concise Federal Accomplishments Report which was reviewed and discussed at the meetings.

## **COUNCIL COMMENTS AND RECOMMENDATIONS**

### **GENERAL SUBJECTS**

The Council continues to be pleased with the direction of the Program and the way the federal agencies are working together and coordinating with the Forum, the TAG and the Work Group. The importance of this joint effort is magnified as Reclamation evaluates replacement alternatives to the Paradox Valley Unit (PVU) during its current EIS effort. The Council finds that securing the continued future effectiveness of the PVU is a most critical issue. It is most important that all involved Department of the Interior agencies consider the Paradox replacement alternative effort as a Department-wide effort and that BLM, USFWS and USGS become partners with Reclamation in moving the project ahead. Each of these three agencies has an important role to play and Reclamation has worked hard at securing this coordination, assistance and support. It is apparent that the assistance and support will be even more important as the EIS process nears completion and replacement alternatives are considered. The Council requests that the Secretary of the Interior and Assistant Secretary take specific stewardship in seeing this effort through to completion.

The Council is also pleased with BLM's continuing effort to study and understand salt mobilization processes on rangelands. Reclamation, USGS and ARS have provided great assistance in this effort. This has been and continues to be very important. The Council encourages all federal agencies involved in these efforts to continue to work cooperatively to find answers to the salt loading which occurs from these federally administered lands. The Council is committed to work with BLM, Reclamation, USGS and ARS to pursue opportunities to fund these efforts. With significant seed money for these efforts having come from the limited Basin States Program funds, the Council is hopeful that BLM and ARS will now lead out in these efforts both monetarily and in executing the needed studies. The Council also requests that the USGS continue to provide science support in this effort.

The Council also appreciates the efforts of the multi-agency Science Team in providing the TAG and the Work Group valuable analysis of various issues facing the Program and reviewing potential study efforts. The Council recommends that this support continue.

The Council and the Forum continue to develop opportunities to ensure that adequate up-front cost sharing is available to match the federal expenditures for the Program. The Council appreciates Reclamation's extra efforts in working through the short-term management of the Lower Colorado River Basin Development Fund. The Council encourages all the federal agencies to work with the Forum on this effort as appropriate.

As a final general item, the timing of the renewal of the Charter has been problematic in past years as it has fallen coincident with the Council's fall meeting, which made it difficult to commit to meeting and travel arrangements when the Charter hadn't yet been signed by all three sponsoring agencies. The Council appreciates Reclamation's efforts this past year to move the period for renewal forward. Nevertheless, in order for the Charter to be effective it needs to be signed by all three sponsoring entities and, therefore, wasn't filed until August 31, 2018. The Council herein requests that the Department of the Interior, the Department of Agriculture and EPA all get on board such that the Charter is renewed in July 2020. The Council recognizes that it is somewhat unique from other FACA committees and so it requests that the Charter stay consistent with the Congressional mandate to the Council and that no additional provisions be added which would limit the Council's effectiveness in meeting its role in moving the Program forward.

The below paragraphs provide specific comments and recommendations to the federal agencies involved in the implementation of the Salinity Control Program.

## **U.S. DEPARTMENT OF AGRICULTURE (USDA)**

### ***Natural Resources Conservation Service (NRCS)***

The Council recognizes the key and essential role that NRCS has played and continues to play in reducing the salt load of the Colorado River and its tributaries, creating local environmental benefits as well as benefits for downstream agricultural and municipal users. NRCS has been a consistent and very productive partner in the effort. Providing these benefits is the result of a coordinated effort between the Colorado, Utah and Wyoming state NRCS offices in the Upper Basin and also the cooperation they have provided when working with other federal agencies, the TAG, the Forum and the Work Group.

The Council recognizes and appreciates the consistent and adequate EQIP FA funding for FY-2018. It recognizes the myriad of demands placed on program managers in allocating limited EQIP funds and, therefore, expresses appreciation for the priority NRCS has placed on salinity control activities. The Council will continue to work closely with the three State Conservationists and their staff in preparing a three-year funding plan for salinity control implementation. The Council has found that significant effort and good thought has gone into this plan. It is a realistic determination of what might be accomplished each of the next three years with adequate funding.

The Council also recognizes that much of NRCS's past success in implementing salinity control comes from efforts beyond simply servicing EQIP contracts. It comes from talented staff working with producers in properly operating and managing on-farm improvements. A USGS study of NRCS data over a number of years in the Grand Valley shows a wide range in effectiveness derived from implementation and maintenance of the same practices, confirming the importance of the continual need for training and assisting producers. The Council requests that NRCS continue to recognize this need and provide sufficient staff and funding, including sufficient CTA dollars and other non-EQIP dollars, to meet this critical need.

The Council believes that it is the dedication, coupled with effective and hard work of NRCS personnel, which has made the NRCS salinity control program such a success. The Council appreciates the attentiveness of NRCS Washington staff in the Program's success. The Council also recognizes and appreciates the dedicated attention that the three State Conservationists have given the Program and it invites them to continue to frequently participate in Program meetings, discussions and activities and provide input, expertise and guidance as we move the overall Program forward.

The Council very strongly believes that the efforts of NRCS's Salinity Control Program Coordinator have been critical to the Program's successes. Not only has the Coordinator been effective in coordinating and unifying NRCS implementation of the Program, but he has also been extremely helpful in providing input and expertise in the overall Program implementation, working cooperatively with the other agencies. As one of the major implementing agencies, the NRCS Salinity Coordinator has provided a vital role in the overall Program successes. The Council sees an absolute need to continue this position and requests that it always be filled with a motivated and well qualified individual. With the retirement of NRCS's Salinity Coordinator, the Council strongly urges NRCS to quickly act to fill this position with a very qualified individual. The Council believes that this is a most critical and urgent need. Once hired, the Council recommends that the coordinator be given the freedom and resources to focus on control efforts throughout the states and not be burdened with other duties and responsibilities. Further, the Council expresses its strong recommendation that the coordinator represent all state offices involved in salinity control and that he or she be housed in the Reclamation offices in the Federal Building in Salt Lake City so that full Program coordination can continue.

The Council appreciates NRCS's efforts to control salinity in a cost-effective manner. Historically, the Council has urged NRCS to pursue salinity control first in established salinity control areas before going to other parts of the Basin to expend salinity EQIP funds. It was believed that this practice would create opportunities for the most cost-effective contracts. NRCS has alerted the Council that contracts in some of the approved salinity areas may have increased such that it might not always be as cost effective as other areas



within the Basin. Therefore, the Council requests that NRCS provide to the Forum, its Work Group and the Council a comparative review of the cost-effectiveness in the approved project areas over time. Further, it is requested that NRCS, working with the Forum's Work Group, review and study the costs and merits of replacements and upgrades in the salinity areas. This would include a review of the future options associated with systems installed previously by NRCS and which are now reaching or have surpassed their design life.

Implementation of the Salinity Control Program has been adaptive over the years as we have needed to adjust to changes in funding, legislation, policies, practices and producer needs. The Council is aware that changes are under review in the relationship between the technical assistance and division of labor being provided by NRCS and the state ag agency personnel with Basin States Program (BSP) dollars. The Council asks that NRCS continue to stay engaged and provide counsel and guidance in this effort as the most effective and beneficial options for implementation of Program objectives are evaluated and then implemented.

Due to a number of factors, present Program implementation has de-emphasized the role and number of EQIP-ineligible contracts referred to Reclamation for funding consideration. That said, the Council believes that there will continue to be a limited number of such contracts which are cost effective and strategic to overall Program implementation objectives. The Council appreciates NRCS's commitment to improve the process. To the extent that such worthy, yet EQIP-ineligible contracts are received, reviewed and batched by NRCS, the Council requests that they be forwarded (handed-off) to Reclamation by April 1 each year and that NRCS provide to Reclamation any evaluations or supporting information it has developed for these contracts so that it can quickly, in conjunction with the State ag agencies, determine which, if any, of the projects will be funded with BSP funds (see also discussion on this matter in the Reclamation section).

The Council recognizes the vital role of actual implementation of contracts by those in the field and the importance of organizing and coordinating the offices of area conservationists and district conservationists in such a way that the efficient implementation of the Program

will continue and requests that NRCS make every effort to assure that each of these offices are adequately staffed. Recognizing the regional importance of the Salinity Control Program, the Council urges the Secretary to provide sufficient staff hiring allowances such that the District offices are adequately staffed. The Council is concerned that while technical service providers may meet a short-term need, long-term adequate staffing is essential to success in meeting Program objectives. The Council requests that the Secretary specifically comment on efforts to provide sufficient staffing to move the Salinity Control Program forward.

In the future, the Salinity Control Program may need to turn more and more to grazing lands (rangelands). BLM, ARS and USGS are now engaged in studies, in part funded by Basin States Program funds, to unravel the complex nature of salt loading from grazing lands. NRCS's Salinity Coordinator has been most helpful as this effort has moved ahead in the past. NRCS has leading knowledge in some aspects of this complex puzzle. The Council requests that NRCS continue to support this effort in any way it can.

The Council requests a written response from the USDA to recommendations contained in this report by **April 30, 2019**. This response should include comments on statements made in this section of this report and also on recommendations found in this report under the General Issues section and the Management and Budget Recommendations section.

## **U.S. DEPARTMENT OF THE INTERIOR (DOI)**

### ***Bureau of Reclamation (Reclamation)***

The Council greatly appreciates the efforts of the Upper Colorado Region (UC) office in the continued oversight and coordination of the Program and the priority given to the Program from the top down, including the assemblage and support of a capable and dedicated salinity team. The Council also appreciates the increased involvement of the Lower Colorado Region (LC) office, including participation of a salinity coordinator in the Work Group meetings and a high-level representative at the Forum and Advisory Council meetings.

The Council notes that the Upper Colorado Region had brought together a capable staff to effectively administer the Program. The Council notes that important to the overall efforts in the past has been an engineering position. This position has now been vacant for several years. As recommended for the past several years, the Council strongly encourages that this position be filled quickly.

The Council appreciates the effort in the UC Region to address and improve the contracting issues that have previously faced the Program. However, the Council recognizes that contracting procedures and issues are again plaguing the efficient implementation of the Program. Most of these issues appear to be coming from the Department level. Specifically, the waiver process appears to be handicapping Reclamation from timely and efficient implementation of the Program. It appears to the Council that the UC Region's staff expend significant efforts to comply with contracting requirements. As it did last year, the Council requests that the Secretary review these issues and report back to the Council on efforts to streamline the contracting processes at the Departmental level to allow for efficient implementation of the Program. With a new Funding Opportunity Announcement coming out this year, the Council requests that the Department act quickly to cure issues with the contracting process. The Council also requests that Reclamation continue to monitor the time and effort required to move contracts forward through its offices and report such to the Council.

Reclamation is very aware of the funding issues associated with the Lower Colorado River Basin Development Fund (LCRBDF). The Council wishes to express its appreciation to Reclamation staff who have worked very efficiently within the funding constraints to move the Program forward. The Council would also like to express its appreciation to Reclamation in its efforts to re-evaluate the repayment history and appropriately apply repayment dollars to obligations which first become due. This is a good example of Reclamation's efforts to collaboratively and resourcefully move the Program forward, and the Council simply requests that Reclamation continue in this vein.

In the Management and Budget Recommendations portion of this report, the Council recognizes that it is very difficult, given Reclamation's budget cycle, to make funding recommendations that can influence Reclamation's budget request for the next two fiscal years. The Council recognizes and appreciates Reclamation's efforts which led to an increase in Basinwide Program funding in FY-2018. The Council was then alarmed by the President's Budget for FY-2019 and subsequent appropriation. The Council is appreciative of Reclamation's efforts to restore the budget back up to \$8 million but recognizes that this is yet deficient of the \$10.1 million budget need. The Council recognizes the efforts of Reclamation staff to smoothly and efficiently implement the Basinwide Program despite yo-yoing appropriations. It requests that Secretarial and Bureau leadership do everything within its power to seek adequate and consistent funding levels. The Council recommends that Reclamation seek increased appropriations in FY-2020, FY-2021 and FY-2022 in accordance with Table 1, especially as we begin a new Funding Opportunity Announcement (FOA) schedule. It is noted that the requested amounts have been decreased due to the very cost-effective projects selected in the recent FOAs. Reclamation is requested to give a detailed report on its efforts to secure additional funding at the next Advisory Council meeting.

The Council also recognizes Reclamation's efforts to secure additional dollars outside of the Basinwide Program to move forward overall Program objectives. It expresses appreciation to Reclamation for its efforts to "find" additional dollars and stretch the limited dollars to

make the Program work. Program staff have been very effective at looking for and bringing in dollars to make things work, and the Council appreciates these extra efforts.

The Council is looking forward to the 2019 FOA. It has observed over the years Reclamation's efforts to adapt and be even more effective in administering the FOAs. It requests that Reclamation continue to do so. The Council appreciates Reclamation's efforts to work with applicants prior to submission of applications so as to create the best projects. The Council asks that Reclamation continue to adapt the FOA by listening to the needs and views of the applying entities. One issue which has been raised is the variability of materials prices, particularly pipe prices, during the window of project implementation. It asks that Reclamation review and consider this issue in its implementation of the FOA.

The continued and efficient operation of the PVU is very important to the Council. In the General Issues section, the Council has expressed its support for the PVU EIS and Alternative Studies efforts and continues to emphasize the need to complete these studies in a timely manner. For a variety of reasons, most of which have led to a better and more robust product, the EIS schedule has slipped a number of times. The Council now recognizes that if the schedule is delayed further it, could be caught up and lost in the 2020 Presidential race. Therefore, it urges that Reclamation make every effort to meet a schedule which has a Record of Decision issued in the summer of 2020. The EIS effort continues to require meaningful funding, and the Council appreciates Reclamation's efforts to secure the required funding.

The Council appreciates Reclamation's commitment to the ongoing EIS efforts for the PVU and also encourages it to plan for and secure the needed funding for the planning, design and implementation of the selected alternative(s) after issuance of the Record of Decision in 2020. The Council also requests that Reclamation work with the states on funding options, including potential phasing for implementation of the selected alternative.

The Council appreciates Reclamation's efforts to move forward the investigations associated with the potential Pah Tempe (La Verkin) Springs project. Last year the Council

requested that Reclamation begin to look at how a project might be built at Pah Tempe Springs, including reviewing with its solicitor the authorities under which this project is being studied and how it might be funded and built. The Council appreciates Reclamation's efforts in this regard with its memo report and requests that it continue to support the investigation of a potential project at Pah Tempe.

Reclamation's efforts the past few years to better understand and update the Salinity Economic Impacts Model (SEIM) have been significant and appreciated. The model structure and format has been significantly updated which led to improved forecasts in the Forum's 2017 Review. Reclamation has now awarded a contract to update the salinity functions in the model and it appears that things are moving along well. The Council expresses appreciation for these efforts and will be anxious to see the results.

The Council appreciates Reclamation's leadership in seeking to find improved options for replacement of wildlife values foregone, especially on federal lands where long-term maintenance and management can be realized. The Council asks that Reclamation continue to work on this effort with NRCS, BLM and the USFWS. Further, the Council requests that Reclamation continue its efforts to quantify mitigation credits and determine the areas to which credits can apply.

Each fall Reclamation seeks input from the involved federal agencies and prepares a Federal Accomplishments Report (FAR), which report is sent to the Advisory Council before its fall meeting. This is very helpful and the Council urges that this report continue to be provided.

The Council continues to observe the value of the role played by the Science Team. The Council urges Reclamation to continue to convene and staff the Science Team.

The Council recognizes that among the many things Reclamation does to move the Program forward is the biennial preparation of Progress Reports and their submittal to Congress. The Council appreciates the value of these reports. The Council notes that Progress Report

No. 25 was finalized this past year and it urges Reclamation to work with the Forum's Work Group on the next report to assure consistency in reporting.

The Council recognizes that Reclamation's two-dimensional salinity model for Lake Powell and Lake Mead have greatly improved in the past several years. The Council requests that Reclamation work with the Forum's Work Group on options to more widely report model results.

The Council asks Reclamation to respond in writing to recommendations contained in this report by **April 30, 2019**. This response should include comment on statements made in this section of this report and also on recommendations found in this report under the General Issues section and the Management and Budget Recommendations section.

### ***Bureau of Land Management (BLM)***

The Council recognizes that when Congress directed the Secretary of the Interior "to develop a comprehensive program for minimizing salt contributions to the Colorado River from lands administered by the Bureau of Land Management," BLM was given a daunting task. Creation of a "program" hasn't always fit within other BLM programs. The Council recognizes and expresses appreciation for the top-to-bottom leadership which BLM is now showing relative to the Congressional charge to BLM. Such leadership is seen by participation in meetings, responses to inquiries, dedication of staff time and funding, commitment to studies, understanding and reporting, and the willingness to think outside the box in regards to integrating salinity control into other BLM programs and objectives. The Council recognizes these efforts, expresses appreciation for the shift in emphasis and encourages BLM to continue on the courses it has laid out.

Last year the Council expressed appreciation for BLM's efforts to complete its *A Framework for Improving the Effectiveness of BLM's Colorado River Basin Salinity Control Program (2017-2022)* document. It now expresses appreciation for a presentation regarding the document at its Spring 2018 meeting. The Council now requests a follow-up presentation at its Spring 2019 meeting on how the recommendations contained therein are being

implemented and their impact on BLM's salinity control efforts. The Council again expresses its appreciation for the creation of the document and the vision contained therein.

For the past three years BLM has expended at least \$1.5M on Colorado River salinity control activities. As it expressed last year, this is a huge milestone in BLM's commitment to improving the water quality of the Colorado River and for which the Council expresses its appreciation. The Council understands that there have been issues with accounting for expended salinity funds and is yet desirous of a uniform, peer-reviewed method on how to report how the dollars were expended, along with estimates of salt savings therefrom (either qualitative or quantitative). The Council again asks that BLM work with the Science Team and the Work Group, respectively, on this request and an appropriate reporting format.

The Council appreciates BLM's efforts to create a better understanding of salt mobilization on public lands, including a significant literature review of rangeland salinity control. This has led to a number of presently on-going studies in conjunction with ARS and USGS. The Council understands that culmination of these efforts is nearing and is anxious to hear the results of these studies and asks that BLM work with the Science Team and the Forum's Work Group in reporting out the results of these studies as they become available. The Council requests and understands that BLM will coordinate with the Work Group to know where studies have been reported (i.e., journals, etc.) and report the status of the overall BLM and ARS efforts, as well as plans moving forward.

In the 2016 Report the Council notes significantly increased efforts to quantify and report the salinity savings associated with various BLM activities. The Council applauds these efforts and requests that BLM continue to refine the process and then report such to the Science Team and Work Group for peer review and input. It noted Figure 16 (page 52) in the 2017 FAR shows a correlation between salinity and sediment loading that is "generally accepted." The Council requested that in their studies BLM independently verify and quantify this generally accepted relationship. In its prior responses to this request, BLM



has indicated that it would do so. The Council reiterates such request. Such understanding is important in confirming the sediment and salt retention values being reported in the FAR.

The Council continues to reiterate its recommendation that BLM select a salinity coordinator whose assignment would be to work exclusively on Colorado River salinity issues. The Council's vision is that the three implementing agencies, with their coordinators domiciled together, would move ahead as a team through daily interfacing of their coordinators. Controlling salt mobilization on BLM administered lands is a monumental task and the Council requests that BLM continually evaluate staffing needs, ensuring that program goals and objectives are addressed and adequately coordinated with the activities of the other federal agencies. The Council recognizes that BLM's organization is being reviewed at a national level. As things change and opportunities present themselves, the Council reiterates its recommendation to have a full-time BLM salinity coordinator tied to Washington and housed in Salt Lake City. It requests that BLM provide comment on this matter relative to the larger national organizational discussions.

The Council is concerned about the future of the Paradox Valley Unit. Currently Reclamation is involved in an EIS that addresses the future of the project. There are BLM issues to be addressed, particularly with respect to the potential future use of some BLM lands for PVU alternatives (e.g., evaporation ponds). The Council urges BLM to continue to be involved with these issues and facilitate, as part of Interior's team, resolution of a workable brine disposal alternative. The Council recognizes that review of the Paradox EIS will occur at the Assistant Secretary level and that BLM will provide input thereto. The Council requests that BLM will proactively facilitate potential solutions and that if it sees any issues, it will report such back to the Council.

The Council recognizes the desire to improve the options for the replacement of wildlife values foregone. It appreciates BLM's efforts to find and participate in the establishment of such replacement, especially on federally administered lands where long-term maintenance and management can occur. The Council requests that BLM continue to be

engaged with Reclamation, NRCS and the USFWS in seeking out and establishing such wildlife areas.

The Council requests a written report responding to each of the Council's recommendations by **April 30, 2019**. This response should include comment on statements made in this section of the report as well as recommendations found in the General Subjects section and the Management and Budget Recommendations section.

### ***U.S. Geological Survey (USGS)***

The Council wants to express its continued appreciation for how responsive USGS is in its science role for the Secretary of the Interior in assisting with moving the Salinity Control Program forward. The Council asks that USGS continue to work with Reclamation, NRCS, BLM and the Work Group to ensure that the data collection, interpretation and analysis efforts are accurate, effective and contribute to the overall goal of Program implementation.

The Council appreciates the continued coordination and support of the Program provided by USGS with the several individuals involved in assisting with science support. Both the continuity of participation, as well as the ability to bring in specialists when needed, has really provided important strength and understanding to the Program. Participation by USGS on the Science Team, the TAG and Work Group and at Advisory Council and Forum meetings has helped strengthen the overall Program and efforts.

Continued effective operation of the PVU is critical to the Council. USGS is presently working on four or five efforts, some using Basin States Program dollars and some using PVU O&M dollars, to better define the movement and discharge of brine within the groundwater system. It would urge USGS to complete these efforts so that the results can appropriately inform Reclamation and the states on the potential effectiveness of alternatives being considered during the EIS Alternatives Study. The Council asks that as drafts of these reports are prepared, they be shared with the Forum's Work Group so that they can provide review and comment.

The Council has given its support to detailed investigative efforts by USGS of the Pah Tempe Springs. The Council appreciates USGS's efforts and insight in proposing the final study to finish characterizing the fault zone which leads to brine discharge to the Virgin River. The Council recognizes the delays associated with finding a willing driller to complete the required testing and will be watching as the effort moves forward.

The Council recognizes USGS's initiation of the study of the long-term salinity trends in the Upper Basin. This is a big deal to the overall Program. The Council appreciated the report at its recent meeting and requests that USGS provide frequent reports to the Forum's Work Group as it moves into the second phase of the study which seeks to understand the why behind the trends which could have important impacts to future policy decisions within the Basin.

The Council recognizes USGS's critical role on the Science Team in identifying Program science needs and their role in scoping out potential studies and performing many such studies. These efforts are much appreciated. USGS has performed a number of other studies for the Program which have guided thinking and implementation activities. The USGS's role and efforts are recognized by the Council and are much appreciated.

The Council wishes to thank USGS for the priority it gives to funding the basic stream gaging program on the Colorado River and encourages and supports USGS in their efforts to maintain the 20-gage network.

The Council requests that USGS respond to the Council on its continued ability to perform important data gathering, review and study functions by **April 30, 2019**.

### ***U.S. Fish & Wildlife Service (USFWS)***

The Council recognizes that many of its recommendations to the USFWS are on a continuing basis and don't change significantly from year to year. It appreciates USFWS's role in finding, reviewing and supporting viable wildlife replacement projects and the

service that USFWS provides in reviewing and tabulating replacement by areas and as requested. The Council recommends that USFWS continue these activities and proactively assist the other agencies in moving the Program forward.

As noted in prior years, the Council again notes its appreciation for the tables provided by USFWS in the FAR. The Council finds them most helpful and requests that the Council continue to be informed each year in the FAR as to the effectiveness of the wildlife replacement efforts and the current status of those efforts. The Council appreciates the USFWS's efforts to review and approve off-site replacement efforts and concurs with the USFWS that such efforts are better than receiving no replacement.

In the past few years the USFWS has participated with other agencies in seeking and reviewing potentially larger, more permanent mitigation opportunities, including ones on federally administered lands. The Council recognizes USFWS's role in the successful (and notably under budget) efforts with a project in the Grand Valley and believes that this could be a good model moving forward. It recognizes that USFWS is now involved with others in a potential project at the Olsen Reservoir. The Council appreciates and applauds these efforts as a potentially improved way to provide replacement for fish and wildlife values foregone. The Council would ask that USFWS continue to not only be a participant in these activities, but that it be proactive and a leader in looking for wildlife replacement opportunities which will provide lasting wildlife enhancement and which will fit within the Program opportunities and mandates, including construction of such projects on public lands.

The Council continues to recognize that USFWS, as an Interior agency, has a vital role in assisting other agencies in implementing the Salinity Control Program and encourages the agency to be collaborative in finding solutions for moving the Program forward and working through the issues, as needed, to continue to implement the Program. This collaborative effort is most needed as Reclamation looks for the best opportunities to control the brine through their PVU project. The Council believes that USFWS should consider itself a part of the Interior team that is charged with finding the best solution to

the future of salinity control at the PVU. The Council appreciates the USFWS bringing to its attention Memorandum 37050 relative to the 1918 Migratory Bird Treaty Act and requests that the USFWS continue to keep it apprised of this matter.

The Council requests a written response to the above recommendations by **April 30, 2019**.

## ENVIRONMENTAL PROTECTION AGENCY (EPA)

The Council continues to appreciate EPA's determination that Region 8 will be the coordinating region. The Council is pleased with the representative from this region and appreciates his participation at meetings, as well as the materials and responses provided, including EPA's annual write-up in the FAR.

The Council expresses appreciation to EPA for its involvement in and assistance with the Forum's triennial review process to review and update its *Water Quality Standards for Salinity, Colorado River System (2017 Review)* and asks that EPA continue to help shepherd the state standards through to approval. The Council appreciates the updates given each year by EPA on the status of its efforts to approve such standards.

The Council also appreciates the involvement of EPA in water quality control efforts by the Tribes in the Colorado River Basin as they set water quality standards. The Council requests a report from EPA on the effectiveness of these efforts.

The Council recognizes the importance of the PVU in the overall efforts to improve the water quality of the Colorado River and continues to encourage EPA's participation in the PVU EIS efforts. It also recognizes and appreciates EPA's previous commitments to fast tracking of a UIC permit, if the current injection well were to fail before an appropriate brine disposal alternative has been identified.

The Council has found that Region 8 of the EPA has been most responsive to issues it has been asked to address. The Council would appreciate a response to the above comments by **April 30, 2019**.

## **INTERNATIONAL BOUNDARY AND WATER COMMISSION (IBWC)**

While the Council's responsibilities are for activities occurring above Imperial Dam, the Council wishes to express its appreciation for the efforts and the activities of IBWC, particularly as it deals with sensitive salinity matters. The Council encourages IBWC to continue its coordination with the Council, the Forum and the states on issues affecting the salinity of the Colorado River as it crosses the international boundary.

The Council senses there may be a need to better inform Mexican officials and water users of the benefits to them associated with the Title II Salinity Control Program. The Council suggests that IBWC involve the Forum if there are ways that it can assist with any informational efforts directed to those using water below Imperial Dam. In the past the Forum and its staff has facilitated and conducted tours for designated officials from Mexico. It may be that IBWC would find this again to be helpful. If so, please contact the Forum in this regard.

## MANAGEMENT AND BUDGET RECOMMENDATIONS

The funding level recommendations contained in this report are consistent with and support the conclusions regarding the funding required to accomplish the Plan of Implementation (Plan) adopted by the Forum as part of its 2017 Review. The Program includes a significant amount of non-federal cost sharing. The states provide, in total, 30 percent cost share for the Program from the Upper Colorado River Basin Fund and the Lower Colorado River Basin Development Fund. The states are currently the second largest contributor to the Program behind USDA. In addition to the states' cost share, the local farmers cost share in the USDA on-farm program and many who participate in Reclamation's Basinwide Program bring significant dollars to their projects. The non-federal participants (states, landowners, irrigation districts, etc.) are ready in FY-2019 to contribute their share of the Program costs as up-front payments.

Tables 1 and 2 contain the Council's recommendations for federal funding for FY-2019 through FY-2022. These funds are for the construction activities necessary to meet the Program objectives as set forth in the Plan of Implementation found in the 2017 Review. The Forum also supports these recommendations and will seek adequate funding for the Program. The Council wishes to emphasize that funding delays and funding in lesser amounts will render the Program unable to meet the program objectives, as measured in tons of salt-load reduction. The funding recommendations shown in Table 1 are for the federal portion of project implementation costs only and are independent of the cost-share dollars from the Basin States Program. The Council also urges the agencies to provide adequate funding to support operation and maintenance, technical and education assistance, monitoring and evaluation of implemented projects and planning for future projects. The Council recommends funds for these activities be provided in addition to the funds recommended in Tables 1 and 2. The Council requests that in their responses, federal agencies specifically comment on funding for these non-construction activities.

Recognizing the need for the salinity control set forth in the Plan of Implementation, the Council makes the following funding recommendations:



## **U.S. DEPARTMENT OF THE INTERIOR**

### ***Basinwide Program (Reclamation)***

Reclamation has already received an FY-2019 appropriation of approximately \$8.0 million for the Basinwide Program (when including the supplemental appropriation amount). The Council recommends that Reclamation not reduce this appropriation any further through budgetary manipulations and that, in fact, it attempt to increase this appropriation by reprogramming any Reclamation-wide excess FY-2019 appropriations into the Basinwide Program prior to the end of the fiscal year. The Basinwide Program has proven its ability to effectively and efficiently utilize such end-of-the-year funding. Reclamation has provided the Forum and the Council with data that indicates that more than 9,000 tons per year of new salinity control is needed if Reclamation is to meet its goal set out in the 2017 Review.

There are several funding issues facing the Program. The Forum has created a committee to address these issues, and the Council recommends that Reclamation continue to work with this committee in attempting to identify options and strategies for resolving these issues. Prior to reaching that resolution, the Council has recommended funding level expenditures from the LCRBDF in FY-2019. The Council recommends that as the FY-2020 budget process is finalized, Reclamation make every attempt to budget \$10,100,000 to the Basinwide Program and that as it begins budgeting for FY-2021, it budgets the same amount. These funding requests are significantly reduced from previous recommendations by the Council. The Council believes that the funding levels it had previously recommended will ultimately be required if the Program is to maintain both the short and long-term goals set out in its most recent Plan of Implementation which will meet or exceed the requirements established by the salinity standard adopted by the States and approved by EPA for the Colorado River System. The Council appreciates Reclamation's efforts to work with the Council to appropriately manage the funds over the next several years and to assist the Forum as it studies and develops options for generation of future revenues.

Because large appropriations will be required in the future, the recommended funding levels are the minimum levels that are acceptable for continued success of the Program.

The Council requests that Reclamation continue to budget sufficient funds for required operation and maintenance of constructed units and for plan formulation, including the PVU alternatives studies and EIS effort. The Council requests that Reclamation also address anticipated funding needs for implementation of the preferred alternative in its future budget formulation. The Council also recognizes that Reclamation receives an appropriation to its Colorado River Water Quality Improvement Program. While this program is outside of the Title II funding, there is meaningful overlap and benefits between the two efforts, including supporting staff and maintaining stream gaging and monitoring activities. Therefore, the Council requests that Reclamation support the funding of this line item so that it does not draw dollars away from implementation efforts under the Title II program.

### ***Bureau of Land Management***

BLM's salinity control funding has historically come through its Soil, Water and Air Program. The FY-2019 President's Budget proposed moving this to the new Aquatic Habitat Management Program. The Council requests that BLM continue to fund projects in the Colorado River Basin regardless of which program is ultimately used as the vehicle. This past year BLM, through a manager's discretion, set aside more than the \$1.5 million directed by Congress for specific salinity control activities within the Colorado River Basin. The Council expresses appreciation for this effort. The expenditure of the funds in this manner has proven very beneficial to the Program by developing and testing methods of controlling salinity on public lands. The Council appreciates BLM's efforts to make more money available for salinity control activities. Moving forward, the Council recommends that at least \$2.0 million for the next four fiscal years be set aside for specific salinity control on public lands within the Basin. If BLM is successful in creating a line-item Colorado River Basin salinity control program, the Council asks that this amount of funding be requested.

## U.S. DEPARTMENT OF AGRICULTURE

### *EQIP (NRCS)*

The Council appreciates levels of funding made available to the salinity control effort through EQIP. Traditionally, on-farm salinity control has been some of the most cost-effective salinity efforts available. While much of the less expensive salinity control has now been accomplished and there has been a notable increase in on-farm salinity control costs in the last couple of years, cost-effective salinity control opportunities still exist. Continued funding is needed to meet the goal identified in the 2017 Review for the Department of Agriculture. The Council notes and expresses appreciation for the allocation of EQIP funding in FY-2019 consistent with the Three-Year Funding Plan.

The Council has determined that it will make its recommendations for the allocation of EQIP funding for the salinity control effort based on the Three-Year Funding Plan developed by the NRCS State Conservationists for Colorado, Utah and Wyoming. The funding allocations made by NRCS under EQIP generally do not come out until several months after the new fiscal year has begun and, therefore, input to NRCS is more immediate and projections out four years not nearly as germane. Further, the Three-Year Funding Plan put forth by the State Conservationists does not go out to FY-2022. However, to be consistent with other agencies, the Council has preliminarily used the FY-2021 amount for FY-2020.

Based on the information provided in the Three-Year Funding Plan and in support of that plan, the Council recommends the following fiscal year allocations for salinity control in the Basin: FY-2019 - \$13,432,500, FY-2020 - \$12,660,300, FY-2021 - \$12,920,100 with \$12,920,100 as a preliminary amount for FY-2022.

Tables 1 and 2 summarize the Council's funding recommendations to the federal agencies. It should be noted that the funds identified in the tables do not include funds needed to continue to operate and maintain salinity control features, nor for the requisite planning

and investigation studies necessary for a successful and cost-effective program. The Council expects that where there is a responsibility to provide funding for these purposes, the agencies will also include the needed additional funding in their budgets.

**TABLE 1**  
**Colorado River Salinity Control – Department of the Interior**  
**Funding Recommendations (2019-2022)**  
**December 31, 2018**

	<b>Fiscal Years</b>			
	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>
Bureau of Reclamation <sup>1,2</sup> Basinwide Program	\$10,100,000	\$10,100,000	\$10,100,000	\$10,100,000
Bureau of Land Management <sup>3</sup> Salinity Specific Funding from the Soil, Water and Air Program	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000

Notes:

1. The Council anticipates and requests that Reclamation budget sufficient funds for required operation and maintenance of constructed units and for plan formulation in addition to these amounts.
2. Funding recommendations in Table 1 do not include funds recommended for studies and future implementation at the PVU. The Council needs the assistance of Reclamation to determine the level of funding needed to support the PVU.
3. The Council anticipates and requests that BLM budget sufficient funds for inventory and ranking, planning, maintenance, monitoring, evaluation and support. This level of funding should also apply to the Aquatic Habitat Management Program, should it be enacted.

**TABLE 2**  
**Colorado River Salinity Control – Department of Agriculture (EQIP)**  
**Funding Recommendations (2019-2022)**  
**December 31, 2018**

<b>STATE</b>	<b>FY-2019<sup>1</sup></b>	<b>FY-2020<sup>1</sup></b>	<b>FY-2021<sup>1</sup></b>	<b>FY-2022<sup>2</sup></b>
<b>COLORADO</b>				
FA	\$6,500,000	\$6,000,000	\$6,000,000	\$6,000,000
<b>UTAH</b>				
FA	\$6,682,500	\$6,410,300	\$6,670,100	\$6,670,100
<b>WYOMING</b>				
FA	\$250,000	\$250,000	\$250,000	\$250,000
<b>TOTALS</b>	\$13,432,500	\$12,660,300	\$12,920,100	\$12,920,100

Notes:

1. Based on State Conservationists' Three-Year Funding Plan (2019-2021)
2. Same as FY-2021. Advisory Council recommendation for guidance when developing 2020-2022 Three-Year Funding Plan

## CONCLUSION

The Council recognizes and appreciates its responsibility to submit comments and recommendations on salinity control activities to the federal agencies. As indicated in the General Comments section, the Council is pleased with the agencies' efforts put forth in 2018 and looks forward to providing a framework for future coordination and consultation. The Council requests that written responses to this report be provided by **April 30, 2019**. Responses should be sent to the Council's Chairman, Mr. Eric Millis, at the following address:

Eric Millis, Chairman  
Colorado River Basin Salinity Control Advisory Council  
1594 West North Temple, Suite 310  
Salt Lake City, Utah 84116

It would be appreciated if copies of the responses are sent to Mr. Kib Jacobson, Reclamation's Program Manager for the Colorado River Basin Salinity Control Program (who also serves as the Designated Federal Officer to the Colorado River Basin Salinity Control Advisory Council), and to the Forum's Executive Director, Mr. Don Barnett, at the following addresses:

Kib Jacobson, Program Manager  
Colorado River Basin Salinity Control Program  
U.S. Bureau of Reclamation  
125 S. State Street, Room 8100  
Salt Lake City, UT 84138

Don A. Barnett, Executive Director  
Colorado River Basin Salinity Control Forum  
106 West 500 South, Suite 101  
Bountiful, UT 84010

## **Attachment A**

### **Advisory Council Charter**

**U. S. Department of the Interior  
and  
U. S. Department of Agriculture  
and  
U. S. Environmental Protection Agency**

**Colorado River Basin Salinity Control  
Advisory Council**

**Charter**

1. **Committee's Official Designation.** The official designation of this Federal advisory committee is the Colorado River Basin Salinity Control Advisory Council (Council).
2. **Authority.** The Council was established by section 204(a) of the Colorado River Basin Salinity Control Act (43 U.S.C. § 1594), Public Law 93-320, Title II, as amended by Public Laws 98-569, 104-20, 104-27, 106-459, and 110-246, and is regulated by the Federal Advisory Committee Act (FACA), as amended (5 U.S.C. Appendix 2).
3. **Objectives and Scope of Activities.** The Council provides advice and recommendations to the Secretaries of the Departments of the Interior (Interior) and Agriculture (Agriculture), and the Administrator of the Environmental Protection Agency (EPA) as stated in paragraph 4.
4. **Description of Duties.** The Council shall be advisory only and shall:
  - a. Act as liaison between both the Secretaries of the Interior and Agriculture and the Administrator of the EPA and the States in accomplishing the purposes of Title II;
  - b. Receive reports from the Secretary of the Interior on the progress of the salinity control program and review and comment on said reports;
  - c. Recommend to the Secretary of the Interior and the Administrator of the EPA appropriate studies of further projects, techniques, or methods for accomplishing the purposes of Title II; and
  - d. Provide to the Secretary of the Interior advice and consultation regarding implementation of the Basin States Program to carry out salinity control activities.

All current and future Executive Orders, Secretary's Orders, and Secretarial memos should be included for discussion and recommendations, where applicable, as they are released. At the conclusion of each meeting or shortly thereafter, provide a detailed recommendation report, including meeting minutes, to the Designated Federal Officer (DFO).



5. **Agency or Official to Whom the Committee Reports.** The Council will report to the Secretaries of the Interior and Agriculture, and the Administrator of EPA through the DFO.
6. **Support.** Support for the Council will be provided by the Department of the Interior, Bureau of Reclamation (Reclamation).
7. **Estimated Annual Operating Cost and Staff Years.** The annual operating costs associated with supporting the Council's functions are estimated to be \$75,000, including all direct and indirect expenses and .20 Federal staff years support.
8. **Designated Federal Officer.** The DFO is the Colorado River Salinity Control Program Manager with Reclamation, and a full time Federal employee appointed in accordance with Agency procedures. The DFO will approve or call all Council and subcommittee meetings, prepare and approve all meeting agendas, attend all Council and subcommittee meetings, adjourn any meeting when the DFO determines adjournment to be in the public interest, and chair meetings when directed to do so by the Secretary.
9. **Estimated Number and Frequency of Meetings.** The Council will meet approximately twice a year, and at such other times as designated by the DFO.
10. **Duration.** Continuing.
11. **Termination.** The Council is subject to biennial review and will be inactive 2 years from the date this charter is filed, unless prior to that date, it is renewed in accordance with section 14 of the FACA. The Council will not meet or take any action without a valid current charter.
12. **Membership and Designation.** Membership of the Council is specified in Title II as being comprised of no more than three representatives from each of the seven Basin States (Wyoming, Colorado, Utah, New Mexico, Arizona, Nevada, and California). The representatives and alternates will serve at the discretion of the Governors of the State that appointed them.

Members of the Council serve without compensation. However, while away from their homes or regular places of business, members engaged in Council or subcommittee business approved by the DFO may be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in Government service under section 5703 of title 5 of the United States Code.

13. **Ethics Responsibilities of Members.** No Council or subcommittee member will participate in any Council or subcommittee deliberations or votes relating to a specific party matter before the Department or its bureaus and offices including a lease, license, permit, contract, grant, claim, agreement, or litigation in which the member or the entity the member represents has a direct financial interest.

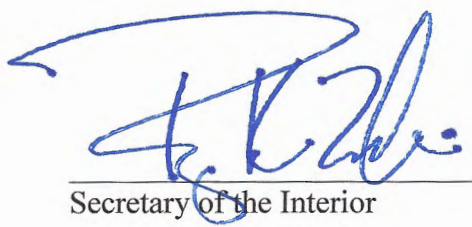
14. **Subcommittees.** Subject to the DFO's approval, subcommittees can be formed for the purposes of compiling information or conducting research. However, subcommittees must act only under the direction of the DFO and must report their recommendations to the full Council for consideration. Subcommittees must not provide advice or work products directly to the Agency. Subcommittees will meet as necessary to accomplish their assignments, subject to the approval of the DFO.
15. **Recordkeeping.** The records of the Council, and formally and informally established subcommittees of the Council, shall be handled in accordance with General Records Schedule 6.2, and other approved Agency records disposition schedules. These records shall be available for public inspection and copying, subject to the Freedom of Information Act (5 U.S.C. 552).

**U. S. Department of the Interior  
and  
U. S. Department of Agriculture  
and  
U. S. Environmental Protection Agency**

**Colorado River Basin Salinity Control  
Advisory Council**

**Charter**

Counterpart Signatory Page



Secretary of the Interior

JUL 05 2018

Date Signed

AUG 31 2018

Date Filed

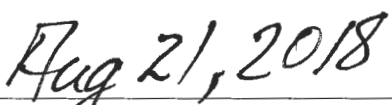
**U. S. Department of the Interior  
and  
U. S. Department of Agriculture  
and  
U. S. Environmental Protection Agency**

**Colorado River Basin Salinity Control  
Advisory Council**

**Charter**

Counterpart Signatory Page

  
\_\_\_\_\_  
Secretary of Agriculture

  
\_\_\_\_\_  
Date Signed

**AUG 31 2018**

\_\_\_\_\_  
Date Filed

**U. S. Department of the Interior  
and  
U. S. Department of Agriculture  
and  
U. S. Environmental Protection Agency  
  
Colorado River Basin Salinity Control  
Advisory Council**

**Charter**

Counterpart Signatory Page



\_\_\_\_\_  
Administrator  
Environmental Protection Agency

\_\_\_\_\_  
Date Signed

AUG 31 2018

\_\_\_\_\_  
Date Filed

## **Attachment B**

### **ADVISORY COUNCIL MEMBERSHIP**

**December 31, 2018**

#### ARIZONA

Clint Chandler  
Phoenix, Arizona

Krista Osterberg  
Phoenix, Arizona

Suzanne Ticknor  
Phoenix, Arizona

#### NEVADA

John J. Entsminger  
Las Vegas, Nevada

Jayne Harkins  
Las Vegas, Nevada

Jason King  
Carson City, Nevada

#### UTAH

James Harris  
Salt Lake City, Utah

Eric Millis  
Salt Lake City, Utah

Gawain Snow  
Vernal, Utah

#### CALIFORNIA

Bill Hasencamp  
Los Angeles, California

Tanya Trujillo  
Glendale, California

#### NEW MEXICO

Tom Blaine  
Santa Fe, New Mexico

Trais Kliphuis  
Santa Fe, New Mexico

#### WYOMING

Chad Espenscheid  
Big Piney, Wyoming

Patrick T. Tyrrell  
Cheyenne, Wyoming

David Waterstreet  
Cheyenne, Wyoming

#### COLORADO

Rebecca Mitchell  
Denver, Colorado

Pat Pfaltzgraff  
Denver, Colorado

David W. Robbins  
Denver, Colorado

## **Attachment C**

### **Federal Responses to the 2017 Advisory Council Report**



United States Department of Agriculture

JUN 04 2018

Mr. Eric Millis  
Chairman  
Colorado River Basin Salinity Control Advisory Council  
Post Office Box 146201  
Salt Lake City, Utah 84114-6201

Dear Mr. Millis:

Thank you for your letter of March 12, 2018, and the enclosed 2017 Annual Report on the Colorado River Basin Salinity Control Program.

The Natural Resources Conservation Service appreciates the support and commitment of the Colorado River Basin Salinity Control Advisory Council to reduce salinity loading in the Colorado River Basin. Your long-standing support to improve the environment and economies of Colorado-River-water users is to be commended. The enclosure addresses each of your comments and recommendations as requested.

Again, thank you for writing, and for your continued leadership and support of Colorado River Basin salinity control activities.

Sincerely,

A handwritten signature in black ink, reading "Leonard Jordan", is written over a printed name and title.

Leonard Jordan  
Acting Chief

Enclosure

cc:

Don A. Barnett, Executive Director, Colorado River Basin Salinity Control Forum, 106 West 500 South, Suite 101, Bountiful, Utah 84010

Kib Jacobson, Program Manager, Colorado River Basin Salinity Control Program, U.S. Bureau of Reclamation, 125 South State Street, Room 8100, Salt Lake City, Utah 84138

Natural Resources Conservation Service  
P.O. Box 2890  
Washington, D.C. 20013

USDA is an equal opportunity provider, employer, and lender.



Mr. Eric Millis

Page 2

(w/copy of incoming correspondence)

Astor Boozer, Regional Conservationist, West, NRCS, Washington, D.C.

Dave Beyman, Acting State Conservationist, NRCS, Phoenix, Arizona

Jeffrey White, Acting State Conservationist, NRCS, Davis, California

Clint Evans, State Conservationist, NRCS, Lakewood, Colorado

Ray Dotson, State Conservationist, NRCS, Reno, Nevada

Xavier Montoya, State Conservationist, NRCS, Albuquerque, New Mexico

Tim Wilson, State Conservationist, NRCS, Salt Lake City, Utah

Astrid Martinez, State Conservationist, NRCS, Casper, Wyoming

Cole Rossi, Salinity Coordinator, Bureau of Land Management, Salt Lake City, Utah

**NATURAL RESOURCES CONSERVATION SERVICE RESPONSE**  
**to the**  
**COLORADO RIVER BASIN SALINITY CONTROL**  
**ADVISORY COUNCIL RECOMMENDATIONS**  
**for the**  
**IMPLEMENTATION OF THE SALINITY CONTROL PROGRAM**

**RECOMMENDATION**

The timing of the renewal of the Colorado River Basin Salinity Control Advisory Council's charter (the Charter) has been problematic in past years as it has fallen coincidentally with the Colorado River Basin Salinity Control Advisory Council's (the Council) fall meeting, making it difficult to commit to meeting and travel arrangements when the Charter hadn't yet been signed by all three sponsoring agencies. The Council appreciates the Bureau of Reclamation's (BOR) efforts this past year to move the renewal period forward and requests that the U.S. Department of Agriculture and the Environmental Protection Agency also assist in 2018 to get the Charter renewed in July.

***RESPONSE***

Upon receipt of the Charter renewal package, the Natural Resources Conservation Service (NRCS) will work to promptly forward the package for review and approval by the Agriculture Secretary (the Secretary) to comply with the July 2018 requested renewal timeframe.

**RECOMMENDATION**

The Council is concerned that in fiscal year 2017 approximately \$1.6 million in Environmental Quality Incentive Program (EQIP) financial assistance salinity funds, which were allocated to EQIP, were not obligated into projects. The Council urges the Secretary to address this issue and report back to the Council the steps taken to avoid similar lapses in future years and fully obligate available funds for salinity control.

***RESPONSE***

NRCS will continue every effort to meet demands by matching staff to workload. NRCS also will continue to work with our local and State partners to find innovative ways to stretch human resources, including the use of contribution agreements, technical service providers, and other partnership arrangements. NRCS will continue to focus its salinity activities within the project areas; however, if projects are identified as providing a greater conservation benefit and cost-per-ton of salt saved, and funding is available, we will consider funding these projects outside of the priority areas.

**RECOMMENDATION**

The Council requests that NRCS continue to recognize the need for NRCS staff to work with producers in properly operating and managing on-farm improvements and provide sufficient staff and funding, including sufficient conservation technical assistance dollars and other non-EQIP dollars to meet this critical need. The Council understands that a question has arisen as to the consistency in reporting technical assistance expenditures among State offices and recommends that NRCS work with the Colorado River Basin Salinity Control Forum's (the Forum) Work Group to review and resolve this matter.

#### *RESPONSE*

NRCS will continue every effort to meet demands by matching staff to workload, and will continue to work with our local and State partners to find innovative ways to stretch human resources, including the use of contribution agreements, technical service providers, and other partnership arrangements. NRCS will continue to focus its salinity activities within the 12 project areas, only going to other parts of the Colorado River Basin (the Basin) if opportunities would be lost and funds might be redirected to other programs outside. NRCS staff are currently working with the Forum's Work Group to develop a uniform method for reporting technical assistance expenditures that will be used by the States.

#### **RECOMMENDATION**

The Council very strongly believes that the efforts of NRCS' Salinity Control Program Coordinator (the Coordinator) have been critical to the Colorado River Basin Salinity Control Program's (the Program) successes. Not only has the Coordinator been effective in coordinating and unifying NRCS implementation of the Program, but he has been extremely helpful in providing input and expertise in the overall Program implementation. As one of the major implementing agencies, the Coordinator has provided a vital role in the overall Program successes. The Council sees an absolute need to continue this position, and requests that it always be filled with a motivated and well-qualified individual, and that the position continue to be housed in Reclamation's offices, so that full Program coordination can continue. With the retirement of the Coordinator, the Council strongly urges NRCS to quickly act to fill this position with a very-qualified individual. The Council believes that this is a most critical and urgent need.

#### *RESPONSE*

NRCS management has stated that hiring a replacement for the Coordinator position vacated by the retirement of Mr. Travis James in March 2017 is an agency priority.

#### **RECOMMENDATION**

Due to a number of factors, present Program implementation has de-emphasized the role and number of EQIP-ineligible contracts referred to BOR for funding consideration. That said, the Council believes that there will continue to be a limited number of such contracts that are cost effective and strategic to overall Program implementation objectives. The Council has been troubled regarding the recent hand-off process. To the extent that such worthy, yet EQIP-ineligible contracts are received, reviewed, and batched by NRCS, the Council requests that they be forwarded (handed-off) to BOR by April 1 each year and that NRCS provide to BOR any evaluations or supporting information it has developed for these contracts so that it can quickly, in conjunction with State agriculture agencies, determine which, if any, of the projects will be funded with Program funds (see also discussion on this matter in the BOR section).

#### *RESPONSE*

NRCS State Conservationists and affected staff will work to forward applications to BOR as soon as practical after the applications have been reviewed and determined to be ineligible for EQIP contracts.

#### **RECOMMENDATION**

The Council recognizes the vital role of the implementation of contracts by those in the field, and the importance of organizing and coordinating the offices of Area Conservationists and District Conservationists in such a way that the efficient implementation of the Program will continue, and

requests that NRCS make every effort to assure that each of these offices are adequately staffed. Recognizing the regional importance of the Program, the Council urges the Secretary to provide sufficient staff hiring allowances such that the district offices are adequately staffed. The Council is concerned that while technical service providers may meet a short-term need, long-term adequate staffing is essential to success in meeting Program objectives. The Council requests that the Secretary specifically comment on efforts to provide sufficient staffing to move the Program forward.

The Council also recommends that NRCS pursue salinity control in established salinity control areas before going to other parts of the Basin to expend salinity EQIP funds. The Council requests that NRCS specifically include in its response a discussion detailing the adequacy of staffing in moving the Program forward.

#### *RESPONSE*

NRCS will continue every effort to meet demands by matching staff to workload, and will continue to work with our local and State partners to find innovative ways to stretch human resources, including the use of contribution agreements, technical service providers, and other partnership arrangements. NRCS will continue to focus its salinity activities within the 12 project areas, only going to other parts of the Basin if opportunities would be lost and funds might be redirected to other programs outside the Basin.

#### **RECOMMENDATION**

The Council urges the agencies to provide adequate funding to support operation and maintenance, technical and education assistance, monitoring and evaluation of implemented projects, and planning for future projects. The Council recommends funds for these activities be provided in addition to the funds recommended in Tables 1 and 2. The Council requests that in their responses, Federal agencies specifically comment on funding for these non-construction activities.

#### *RESPONSE*

NRCS continues to recognize the importance and value of technical and education assistance, and the monitoring and evaluation of implemented projects. NRCS will continue every effort to meet demands by matching staff to workload, and will continue to work with our local and State partners to find innovative ways to stretch human resources including the use of contribution agreements, technical service providers and other partnership arrangements. NRCS will continue to focus its salinity activities within the 12 project areas, only going to other parts of the Basin if opportunities would be lost and funds might be redirected to other programs outside the Basin.

#### **RECOMMENDATION**

The NRCS has many dedicated employees who have worked hard to accomplish irrigation improvements and advance the purposes of the Program. The Council recognized last year the filling of its engineering position in the Uinta Basin and encourages NRCS to fill this position in Colorado. These two positions provide key engineering and technical support in Colorado and Utah, as well as preparing the annual Monitoring and Evaluation Reports. The Monitoring and Evaluation Reports are very helpful, and the Council applauds the involved NRCS staff for this effort. The Council urges that this work to continue. The Council also encourages NRCS to work with the Forum's Work Group in formulating a more uniform format for these reports.

### *RESPONSE*

NRCS continues to recognize the importance and value of the Monitoring and Evaluation reports, and will work to complete them in a timely manner for 2018 and beyond. NRCS has worked to make the reports more uniform in fiscal year 2017 than in previous years.

### **RECOMMENDATION**

In the future, the Program may need to turn more and more to grazing lands (rangelands). The Bureau of Land Management, Agricultural Research Service, and U.S. Geological Survey are now engaged in studies, in part funded by basin-State program funds, to unravel the complex nature of salt loading from grazing lands. The Coordinator has been most helpful as this effort has moved ahead. NRCS has leading knowledge in some aspects of this complex puzzle and the Council requests that NRCS continue to support this effort in any way it can.

### *RESPONSE*

NRCS will continue to coordinate with the Bureau of Land Management, Agricultural Research Service, and U.S. Geological Survey to determine where NRCS programs and technical expertise can facilitate salt control on grazing land. NRCS has vast experience and knowledge in establishing and maintaining vegetation of grazing lands if, presumably, vegetation management manifests as the most effective salt-control technique.

### **RECOMMENDATION**

The Council recommends the following fiscal year allocations for salinity control in the Basin:

- FY-2018 – \$13,948,900
- FY-2019 – \$13,264,300
- FY-2020 – \$12,648,300
- FY-2021 – \$12,648,300 (preliminary)

The Council also urges the agencies to provide adequate funding to support operation and maintenance, technical and education assistance, monitoring and evaluation of implemented projects, and planning for future projects. The Council recommends funds for these activities be provided in addition to the above recommended funds. The Council requests that in their responses, Federal agencies specifically comment on funding for these non-construction activities.

### *RESPONSE*

NRCS leadership will continue to rely on the assessments of the State Conservationist to define and quantify the resource needs in their States when considering funds allocations. The demands for EQIP funding continue to grow and are impacted by the dynamics of the economy, critical natural resource concerns, and responses to extreme weather conditions.



# United States Department of the Interior

BUREAU OF RECLAMATION  
Upper Colorado Regional Office  
125 South State Street, Room 8100  
Salt Lake City, UT 84138-1102

IN REPLY REFER TO:

UC-240  
RES-9.00

**APR 17 2018**

Mr. Eric Millis, Chairman  
Colorado River Basin Salinity  
Control Advisory Council  
1594 West North Temple, Suite 310  
Salt Lake City, UT 84114-6201

Subject: The Bureau of Reclamation's Response to the Specific Recommendations on the  
Colorado River Basin Salinity Control Program's 2017 Annual Report

Dear Chairman Millis:

On behalf of Commissioner Brenda Burman, I am responding to your letter of March 14, 2018, regarding the 2017 Annual Report on the Colorado River Basin Salinity Control Program (Salinity Control Program), prepared by the Colorado River Basin Salinity Control Advisory Council (Council).

The Council contributes greatly to the success of the Salinity Control Program. We truly value your partnership, participation, and recommendations in the Salinity Control Program. The Salinity Control Program continues to make measurable progress in controlling the salinity problem. Our responses to the specific recommendations in the report for Reclamation are enclosed.

We thank you for your support and for being such an active and aggressive partner in the Salinity Control Program. If you have any questions, please contact Mr. Kib Jacobson by telephone at 801-524-3753 or by e-mail at [kjacobson@usbr.gov](mailto:kjacobson@usbr.gov).

Sincerely,



Brent Rhees  
Regional Director

Enclosure

cc: See next page

cc: Mr. Kib Jacobson  
Designated Federal Officer  
Bureau of Reclamation  
125 South State Street, Room 8100  
Salt Lake City, UT 84138

Mr. Patrick Dent  
Chairman, Technical Advisory Group  
Central Arizona Water Conservancy District  
P.O. Box 43020  
Phoenix, AZ 85080

✓ Mr. Don Barnett  
Executive Director  
Colorado River Basin Salinity Control Forum  
106 West 500 South, Suite 101  
Bountiful, UT 84010

**Reclamation's Response to the Specific Recommendations on the Colorado River Basin Salinity Control Program's 2017 Annual Report**

**Paradox Valley Unit (PVU)**

COUNCIL COMMENTS AND RECOMMENDATIONS, Department of Interior - Reclamation: The Council urges Reclamation to quickly move ahead on these efforts so that the overall, revised EIS schedule can be kept. The Council urges that Reclamation make every effort to meet this schedule.

Response: Completion of the FEIS/ROD is currently on schedule; however, the following has been issued:

**Secretarial Order (SO) 3355 on Streamlining NEPA Reviews** was issued by the DOI on August 31, 2017. SO 3355 requires that EISs not be more than 150 pages, or 300 pages for unusually complex projects, excluding appendices. In addition, each DOI bureau will have a target to complete each Final EIS within one year from issuance of a Notice of Intent to Prepare an EIS (NOI). Those EISs that started before the SO was issued (e.g., PVU EIS) are to be completed by one year after date of DOI issuing guidance on implementation of SO 3355. This guidance is expected to be issued very soon. Assistant Secretary (or Deputy Assistant Secretary) approval will be required to obtain a deviation from the page or time limits, and these are expected to be rare.

The SO came out in August, but informal guidance on how it would apply has only been forthcoming since March. DOI officials have told Reclamation that the official guidance on the SO should be issued before May 1.

Once the guidance is issued, the 1-year clock on PVU EIS begins and only to the issuance of the Final EIS; it does not include the issuance of the ROD. This means that the schedule Reclamation has been working under will be shortened by about 6 months. This could mean that there would not be an additional early review by BLM of the preliminary draft EIS before the Administrative Draft EIS review by all cooperating agencies

The 300-page limit does not include appendices and means the PVU EIS will be shorter, more concise, and include more references to outside materials rather than including the language in the EIS.

COUNCIL COMMENTS AND RECOMMENDATIONS, Department of Interior - Reclamation: The Council also recognizes Reclamation's efforts to develop a contingency plan and road map for placing PVU back into operation as quickly as possible if a shut-down were to occur prior to the implementation of a preferred replacement alternative. The Council requests that Reclamation keep the plan up to date as the EIS and Alternatives Study progresses.

Response: The Contingency Plan is up-to-date.



COUNCIL COMMENTS AND RECOMMENDATIONS, Department of Interior -

Reclamation: The Council appreciates Reclamation's commitment to the ongoing EIS efforts for the PVU and also encourages it to plan for and secure the needed funding for the planning, design and implementation of the selected alternative(s) after issuance of the Record of Decision in 2020.

Response: Reclamation continues to consider completion of the FEIS/ROD process and implementation of an action alternative in the budget formulation process.

COUNCIL COMMENTS AND RECOMMENDATIONS, Department of Interior -

Reclamation: The Council also requests that Reclamation work with the states on funding options, including potential phasing for implementation of the selected alternative.

Response: See Response above.

MANAGEMENT AND BUDGET RECOMMENDATIONS, Department of Interior -

Reclamation: The Council requests that Reclamation continue to budget sufficient funds for required operation and maintenance of constructed units and for plan formulation, including the PVU alternatives studies and EIS effort. The Council requests that Reclamation also address anticipated funding needs for implementation of the preferred alternative in its future budget formulation.

Response: See Response above.

MANAGEMENT AND BUDGET RECOMMENDATIONS, Department of Interior -

Table 1, Notes: 2. Funding recommendations in Table 1 do not include funds recommended for studies and future implementation at the PVU. The Council needs the assistance of Reclamation to determine the level of funding needed to support the PVU.

Response: See Response above.

## Science Team

COUNCIL COMMENTS AND RECOMMENDATIONS - General Subjects: The Council also appreciates the efforts of the Science Team in providing the TAG and the Work Group valuable analysis of various issues facing the Program and reviewing potential study efforts. The Council recommends that this support continue.

COUNCIL COMMENTS AND RECOMMENDATIONS, Department of Interior -

Reclamation: The Council continues to observe the value of the role played by the Science Team. The Council urges Reclamation to continue to convene and staff the Science Team.

Response: Reclamation also has found the efforts of the Science Team to be very valuable and will continue to support, staff, and convene the Science Team.

## **Pah Tempe (La Verkin) Springs**

### COUNCIL COMMENTS AND RECOMMENDATIONS, Department of Interior -

Reclamation: As these studies conclude, the Council requests that Reclamation begin to look at how a project might be built at Pah Tempe Springs.

Response: The LC Region continues to support the study of saline loading originating from the Pah Tempe (La Verkin) Springs. The LC Region looks forward to understanding the results of the ongoing study prior to consideration of a project.

### COUNCIL COMMENTS AND RECOMMENDATIONS, Department of Interior -

Reclamation: The Council believes that these future efforts are moving ahead under this original authority and that if a project becomes feasible at these springs, implementation and funding of the project would be under the original authority. In the response to last year's Advisory Council Report, Reclamation indicated that it would confirm the authority question and report back to the Council.

Response: During 1972–81 and 1983–84, Reclamation studied the discharge of dissolved solids from La Verkin Springs, the transport of these salts in the Virgin River, and the feasibility of reducing inflow of these salts to the river. A variety of methods of controlling the salt discharge were examined. However, none were considered cost effective related to other potential salinity control projects in the Colorado River Basin. Therefore, the project could not be recommended to Congress for construction at that time.

Reclamation published a Concluding Report in December 1981. Citing the above reason, it was stated in the Report that:

The La Verkin Springs Unit should be deferred from current consideration under the CRWQIP, with the understanding that the investigation could be reopened in the future if more cost effective control strategies are not identified elsewhere in the basin.

Based on the language in the Concluding Report, it is Reclamation's understanding that investigation of La Verkin Springs can be reopened at any time. If a feasible and cost effective project is planned then the project could be recommended to Congress for funding. It is Reclamation's intent to confirm its understanding with its Solicitors Office prior to the spring Forum meeting.

## **Progress Reports**

### COUNCIL COMMENTS AND RECOMMENDATIONS, Department of Interior -

Reclamation: The Council appreciates the value of these reports. The Council notes that Progress Report No. 25 was finalized this past year and it urges Reclamation to work with the Forum's Work Group on the next report to assure consistency in reporting.

Response: Reclamation agrees with the Council that the Progress Reports be

coordinated with the Work group and Forum so that there is a consistency of data, especially with the Forum's Triennial Review. At times there may be some discrepancy in the data between the Progress Reports and Triennial Reviews since these two reports are on different reporting cycles.

Progress Report No. 25 has been accepted by the Commissioner of Reclamation and approved by the Secretary of the Interior (Secretary).

Progress Reports Nos. 21-25 are available on the web site;  
<https://www.usbr.gov/uc/progact/salinity>

### **Economic Damages Model**

COUNCIL COMMENTS AND RECOMMENDATIONS, Department of Interior – Reclamation: The Council urges Reclamation to continue to work closely with the states to not only update existing salt functions but to also identify previously unidentified salinity impacts and include such in the model. The Council requests a report on the status of this effort.

Response: Reclamation's Lower Colorado Region has issued and closed a solicitation for contractors in the middle of March 2018. Proposals are currently being reviewed. It is expected that a consultant will be under contract by the middle of calendar year 2018. Reclamation will work closely with the Basin States on all present and future salt function efforts.

### **Funding - Lower Colorado River Basin Development Fund (LCRBDF)**

COUNCIL COMMENTS AND RECOMMENDATIONS, Department of Interior - Reclamation: The Forum and Council are dealing with temporarily difficult decisions relative to funding and generation of cost share dollars to the LCRBDF. The Council appreciates Reclamation's efforts to work with the Council to manage this fund over the next several years in a way that prevents the LCRBDF from going into deficit. At the same time, the Council concurs with Reclamation's recommend to expend available funds thereby accomplishing additional salinity control while drawing down the accrual. The Council encourages Reclamation to work with the Forum and Work Group to continue to monitor the status of the funding imbalance and report to the Advisory Council at its regular meetings.

Response: The Salinity Control Act, as amended, requires a cost-share from Upper Colorado River Basin Fund and LCRBDF for expenditures of appropriations in the Salinity Control Program. For several years there has been insufficient funding available in the LCRBDF to meet the cost-share requirements, thus creating what those in the Salinity Control Program refer to as an accrual of unexpended cost share (Accrual). The imbalance between appropriations and required cost-share over the years has resulted in an Accrual balance of almost \$12M at the end of FY 2017.

Since FY 2014 the Forum and Council has requested of Reclamation that the

approximately \$1M annual advance repayment for the original Units not be made so that these funds could be expended on projects in the Basin States Program and help reduce the Accrual. Reclamation agreed to the short-term financial management approach of the LCRBDF with the understanding that the Forum and Council would explore options that would allow the LCRBDF to meet its cost-share requirements and take steps to implement a solution. To date the long-term Accrual issue remains unresolved.

Reclamation is grateful with the Council's concurrence to expend available LCRBDF funds in the 2017 FOA. The UC and LC Region's would like to see the balance, of the accrual, at no more than \$7.5M over the short term. The projects selected in the FOA will bring the accrual balance down to under \$7M at the end of FY 2020.

MANAGEMENT AND BUDGET RECOMMENDATIONS, Department of Interior - Reclamation: There are several funding issues facing the Program. The Forum has created a subcommittee to address these issues, and the Council recommends that Reclamation continue to work with this subcommittee in attempting to identify options and strategies for resolving these issues. Prior to reaching that resolution, the Council has recommended temporary funding level expenditures from the LCRBDF in FY-2018.

Response: See Response above.

Also, Reclamation appreciates the Council's recommended temporary funding level expenditures from the LCRBDF in FY-2108, FY-2019, and FY-2020. Reclamation, in consultation with the Council, will try to obtain the funding levels recommended by the Council.

## Funding

COUNCIL COMMENTS AND RECOMMENDATIONS, Department of Interior - Reclamation: The Council recommends that Reclamation seek increased appropriations in FY-2019, FY-2020, and FY-2021 in accordance with Table 1. It is noted that the requested amounts have been decreased due to the very cost effective projects selected in the recent FOA. Reclamation is requested to give a detailed report on its efforts to secure additional funding at the next Advisory Council meeting.

Response: Reclamation appreciates the support the Basin States provide to budget funding requests for the Salinity Control Program. Reclamation's UC Region takes every opportunity to make known the successes and the needs of the Salinity Control Program at all levels of Reclamation, within the Department and the Office of Management and Budget (OMB). Reclamation is making every effort to fund the Basinwide Program at the highest levels possible while balancing the needs of other high priority projects and programs within a flat-to-declining-budget environment. Reclamation welcomes the opportunity to work with the Basin States to identify and prioritize the activities to be funded by appropriations received for the Salinity Control Program. Reclamation will report to the Council on its efforts to secure additional

funding.

COUNCIL COMMENTS AND RECOMMENDATIONS, Department of Interior -

Reclamation: The Council also recognizes Reclamation's efforts to secure additional Basinwide Program funding each year, up to 15 percent. Reclamation's efforts have been very successful in this regard in prior years. However, in FY-2017 the full additional amount was not available. The Council requests an understanding from Reclamation on this matter.

Response: By the end of the fiscal year accounting, the Basinwide Program had received an additional 5 percent of funding. The Salinity Program made a request for up to 15 percent in additional funding, however, due to the UC Region's obligation rate of 98 percent, any additional funding was not available to the Program.

MANAGEMENT AND BUDGET RECOMMENDATIONS: The Council also urges the agencies to provide adequate funding to support operation and maintenance, technical and education assistance, monitoring and evaluation of implemented projects and planning for future projects. The Council recommends funds for these activities be provided in addition to the funds recommended in Tables 1 and 2. The Council requests that in their responses, federal agencies specifically comment on funding for these non-construction activities.

Response: In FY17 for operation, maintenance, monitoring, and technical assistance of the salinity units of Grand Valley, PVU, and McElmo Creek, Reclamation expended appropriations of \$1,116,316, \$3,329,000, and \$434,355, respectively. In FY18, \$1,974,000, \$3,321,000, and \$767,000 have been appropriated for operation, maintenance, monitoring, and technical assistance of the same units, respectively. Reclamation feels that the units are being adequately funded to operate, maintain, monitor, and provide technical assistance.

In FY 2017, \$380,000 was appropriated into the Colorado River Water Quality Program (CRWQP). In FY 2018, the funding increased to \$400,000. In FY 2017 an additional \$180,597 was transferred to the CRWQP and it is being requested that \$300,000 of additional funds be transferred at the end of this fiscal year. Funds in the CRWQP are used for staff salaries, monitoring and evaluation of implemented projects, technical and education assistance, and planning for future Salinity Control Program activities. There is no cost-sharing from the Basin Funds applied to these funds.

MANAGEMENT AND BUDGET RECOMMENDATIONS, Department -

Reclamation: The Council recommends that Reclamation not reduce this appropriation any further through budgetary manipulations and that, in fact, it attempt to increase this appropriation by reprogramming any Reclamation-wide excess FY-2018 appropriations into the Basinwide Program prior to the end of the fiscal year. The Basinwide has proven its ability to effectively and efficiently utilize such end-of-the-year funding.

Response: For many years Reclamation has been able to transfer up to 15 percent of its

annual appropriations of additional funding into the Basinwide Program. Reclamation is prepared and has requested to again transfer up to 15 percent of additional funding in FY-2018 into the Basinwide Program.

MANAGEMENT AND BUDGET RECOMMENDATIONS, Department -

Reclamation: The Council recommends that as the FY-2019 budget process progresses, Reclamation make every attempt to budget \$10,100,000 to the Basinwide Program and that as it begins budgeting for FY-2020 it budgets the same amount.

Response: See previous responses

MANAGEMENT AND BUDGET RECOMMENDATIONS, Department - Reclamation:

The Council also recognizes that Reclamation receives an appropriation to its Colorado River Water Quality Improvement Program. While this program is outside of the Title II funding, there is meaningful overlap and benefits between the two efforts, including supporting staff and maintaining stream gaging and monitoring activities. Therefore, the Council requests that Reclamation support the funding of this line item so that it does not draw dollars away from implementation efforts under the Title II program.

Response: See previous responses

## **Desert Lakes**

COUNCIL COMMENTS AND RECOMMENDATIONS, Department of Interior -

Reclamation: The Council has recommended for several years the funding of efforts at Desert Lakes to confirm salinity savings from the Huntington-Cleveland Project. Working with the Science Team and the Work Group, the Council requests that Reclamation summarize the data and findings and make recommendations for future study efforts, if any.

Response: Reclamation has been collecting water quality data at Desert Lakes for nine years. Reclamation has requested Basin States Program funding through a 2017 SIR (Studies, Investigations, and Research) proposal to review and write-up an internal, informal report of the findings of the effort. This will help determine if, and what, future data collection might entail. The gage at Desert Seep Wash monitoring the flows leaving the Desert Lake Complex is to be maintained through 2017. Future monitoring will be based on the findings of the report. The Reclamation review is in final review and will be available to the Science Team in its August 2018 meeting.

## **Funding Opportunity Announcement (FOA)**

COUNCIL COMMENTS AND RECOMMENDATIONS, Department of Interior -

Reclamation: The Council has observed over the years Reclamation's efforts to be even more effective in administering the Basinwide Program each time with its, generally triennial, Funding Opportunity Announcement (FOA). Much commendation should be given to the Reclamation staff and the NRCS coordinator for work well done. With 2017 being another FOA year, the Council urges Reclamation to continue to stay the course as it builds on

lessons learned in prior efforts.

Response: Early in Fiscal Year 2017 Reclamation started getting input on the FOA and process from its own staff and representatives from the Upper Basin States and designated Application Review Committee members from the Lower Basin States. The FOA was released on August 7 and was closed on November 14, 2017. Reclamation selected 8 applications to move forward for award.

## **EQIP Ineligible Projects**

### COUNCIL COMMENTS AND RECOMMENDATIONS, Department of Interior -

Reclamation: While in general consensus on these matters, there is yet work to be done in 2018 to fully implement the agreed to policy direction and the Council encourages Reclamation to continue to work with the states in moving these efforts forward.

Response: Reclamation will continue to coordinate with the NRCS and the Basin States to define what type of projects would be strategically important for Program implementation. With input from the state ag agency, Reclamation will decide which applications are strategically important for funding under the agreements with the state ag agencies.

## **Staffing**

### COUNCIL COMMENTS AND RECOMMENDATIONS, Department of Interior -

Reclamation: The Council notes that the Upper Colorado Region had brought together a capable staff to effectively administer the Program. Things were really working well from an administrative standpoint within the Program. However, with the recent departure of Marcie Bainson from the team the Council recognizes a huge hole. Further, the Council notes that important to the overall efforts in the past has been an engineering position. This position has now been vacant for several years. The Council strongly encourages that these two positions be filled quickly.

Response: Reclamation agrees with the Council that the Upper Colorado Region has brought together an effective staff. Reclamation also agrees with the Council that additional staff is needed in the Water Quality Group. Reclamation is working on getting additional staff. Reclamation would like to note that Marcie Bainson has returned to her position on the salinity staff.

## **Contracting Process**

### COUNCIL COMMENTS AND RECOMMENDATIONS, Department of Interior -

Reclamation: Therefore, the Council requests that the Secretary review these issues and report back to the Council on efforts to streamline the contracting processes to allow for efficient implementation of the Program. The Council also requests that Reclamation continue to monitor the time and effort required to move contracts forward through its offices and make adjustments as needed.

Response: Reclamation continually works with all levels in Reclamation and in DOI

in the agreement/modification process to streamline the process for efficient implementation. All levels understand the importance of timely approval of agreements and modifications for the Salinity Control Program. To accommodate the waiver process and to minimize impacts on the timely completion of salinity projects, Reclamation has begun obligating funding to entities in the last quarter of the FY so that the entities have sufficient funding to begin installation of salinity control measures when in the first quarter of the new FY (October, November, and December)

## **FACA Committee**

### COUNCIL COMMENTS AND RECOMMENDATIONS, Department of Interior -

Reclamation: The Council recognizes that it is somewhat unique from other FACA committees and so it requests that the Charter stay consistent with the Congressional mandate to the Council and that no additional provisions be added which would limit the Council's effectiveness in meeting its role in moving the Program forward.

Response: At the present time, a draft Charter has had some language changes that DOI officials have included in all charters being renewed this year. These language changes have been shared with the Council leadership. Revisions to this new language have been proposed by Reclamation with input from the Solicitors Office, but DOI officials responded that the language changes are non-negotiable. Reclamation has requested that the Charter be renewed by July.

## **Federal Accomplishments Report (FAR)**

### COUNCIL COMMENTS AND RECOMMENDATIONS, Department of Interior -

Reclamation: Each fall Reclamation seeks input from the involved federal agencies and prepares a Federal Accomplishments Report (FAR), which report is sent to the Advisory Council before its fall meeting. This is very helpful and the Council urges that this report continue to be provided.

Response: Reclamation will continue, as it has in the past, to provide the FAR to the Advisory Council before its fall meeting.





# United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Washington, DC 20240

<http://www.blm.gov>



May 17, 2018

Mr. Eric Millis, Chairman  
Colorado River Basin Salinity Control Advisory Council  
1594 West North Temple, Suite 310  
Salt Lake City, Utah 84116

Dear Mr. Millis:

Thank you for your recent recommendations to the Bureau of Land Management (BLM) in the Advisory Council's 2017 Annual Report on the Colorado River Basin Salinity Control Program. As requested, this letter addresses the Council's recommendations to the BLM.

## General Comments and Responses

1. "The Council understands that BLM has completed its *A Framework for Improving the Effectiveness of BLM's Colorado River Basin Salinity Control Program (2018-2023)* document. The Council looks forward to and would appreciate a presentation and report on the documentation at its spring meeting. The presentation...include report 'findings, recommendations, implementation of recommendations, and impacts on Colorado River.'

### Response

The BLM is pleased that the document is now complete and would like to provide access to the electronic document for the Forum. It may be accessed directly at <https://www.blm.gov/download/file/fid/21722>. The BLM will present the report during the spring 2018 meeting.

2. "In 2016 and 2017 BLM expended \$1.5 Million...on specific Colorado River salinity control activities... The Council is yet desirous of a uniform, peer-reviewed report on how the dollars were expended with estimates of salt savings therefrom. The Council asks that BLM work with the Science Team and the Work Group, respectively, on this request and an appropriate reporting format.

### Response

The BLM will coordinate with members on the Science Team and Work Group to refine the report detail efforts that tabulate expenditures and estimated salt savings at the project level.

3. "The Council requests and understands that BLM will coordinate with ARS in letting the Work Group know where studies have been reported (i.e., journals, etc.) and report the status of the overall BLM and ARS efforts, as well as plans moving forward."

### Response

The modeling updates developed by BLM and ARS have been ongoing over several years as time and funding have allowed. The modeling and related field studies all-inclusive report is planned to be completed and presented in December 2018.

4. "The Council requested that in their studies BLM independently verify and quantify this generally accepted relationship (FAR Figure 16, page 52; figure shows a correlation between salinity and sediment

loading that is “generally accepted.)” In its response, BLM indicated it would do so. The Council reiterates such request. Such understanding is important in confirming the sediment and salt retention values being reported in the FAR.”

#### Response

The BLM is collecting information from the rainfall-runoff study sites within the Colorado River Basin that is helping to quantify the relationship between salinity and sediment loading. The modeling process incorporated those results and then conveyed them to the Science Team and Work Group. The assessment of changes in flow paths and net changes in salinity is challenging given a combination of factors including the current level of scientific understanding of the sediment transport processes from terrestrial upland areas to streams. The report being prepared by BLM and ARS for December 2018 will support Figure 16, on page 52.

5. “Previously, the Council has urged that BLM to select a salinity coordinator whose assignment would be to work exclusively on Colorado River salinity issues. The Council's vision was that the three implementing agencies, with their coordinators domiciled together, would move ahead as a team through daily interfacing of their coordinators. Controlling salt mobilization on BLM administered lands is a monumental task and the Council requests that BLM continually evaluate staffing needs, ensuring that program goals and objectives are addressed and adequately coordinated with the activities of the other federal agencies. The Council recognizes that BLM organization questions exist nationally. However, as things change and opportunities present themselves, the Council reiterates its recommendation to have a full-time salinity coordinator tied to Washington and housed in Salt Lake.”

#### Response

The BLM is committed to support the Colorado Salinity effort, including continuing efforts to collaborate with other federal agencies, and enhancing the effectiveness of the program. The BLM supports the Council's request in part with a full-time salinity coordinator located, along with other scientific staff, at the National Operations Center in Denver, Colorado. There the Salinity Coordinator integrates with senior BLM scientists while providing technical support to the Bureau of Land Management staff nationally, and coordinates with others agencies as appropriate.

6. “The Council is concerned about the future of the Paradox Valley Unit. Currently Reclamation is involved in an EIS that addresses the future of the project. There are BLM issues to be addressed, particularly with respect to the potential future use of some BLM lands for PVU alternatives (e.g., evaporation ponds). The Council urges BLM to become very involved with these issues and facilitate, as part of Interior's team, resolution of a workable brine disposal alternative.”

#### Response

The BLM Uncompahgre Field Office has been working with Reclamation on the Paradox Valley Unit Replacement Project since Reclamation initiated preparation of an Environmental Impact Statement (EIS) in September 2012. Reclamation is the lead agency for EIS development and project construction. The BLM will continue to work with Reclamation to identify workable project alternatives and help resolve related issues. The BLM will take actions to support project implementation when Reclamation completes the EIS and issues a Record of Decision.

Management and Budget Recommendations

1. "BLM's salinity control funding comes through its Soil, Water and Air Program. The Council requests that BLM continue to fund projects in the Colorado River Basin under this program... Moving forward, the Council recommends \$1.5 million for the next four fiscal years [FY2018 to FY2021] to be set aside for specific salinity control on public lands within the Basin..."

Response

Continued funding for salinity control activities will depend on administrations priorities and the availability of appropriated funds provided by Congress.

2. "If BLM is successful in creating a line-item Colorado River Basin salinity control program, the Council asks that this amount [\$1.5 M] of funding be requested."

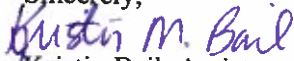
Response

Congress has provided appropriations language for FY 2017 and FY 2018 directing the BLM to expend \$1.5M through the Soil, Water, and Air Management Subactivity to support ongoing implementation of the Colorado River Basin Salinity Control Program.

The BLM thanks the Council for their support and recommendations and will continue efforts to make measurable progress toward reducing salinity in the waters of the Colorado River Basin.

If you have any questions or concerns, please contact Miyoshi Stith, Division Chief for Environmental Quality and Protection, at [mstith@blm.gov](mailto:mstith@blm.gov) or (202) 912-7136.

Sincerely,



Kristin Bail, Assistant Director  
Resources and Planning

cc: Kib Jacobson, Program Manager  
Colorado River Basin Salinity Control Program  
U.S. Bureau of Reclamation  
125 S. State Street, Room 8100  
Salt Lake City, UT 84138

Don A. Barnett, Executive Director  
Colorado River Basin Salinity Control Program  
106 West 500 south, Suite 101  
Bountiful, UT 84010



## United States Department of the Interior

U.S. GEOLOGICAL SURVEY  
Office of the Director  
Reston, VA 20192

APR 11 2018

In Reply Refer To:  
Mail Stop 101  
GS18000689

Mr. Eric Millis, Chairman  
Colorado River Basin Salinity Control Advisory Council  
P.O. Box 146201  
Salt Lake City, Utah 84114-6201

Dear Mr. Millis:

Thank you for the opportunity to respond to the Colorado River Basin Salinity Control Advisory Council's comments and recommendations presented in the 2017 Annual Report on the Colorado River Basin Salinity Control Program (CRBSCP). We appreciate the Council's recognition of the U.S. Geological Survey's (USGS) science contribution to the CRBSCP. We look forward to continuing to work with the CRBSCP to provide data, interpretation, and analysis to facilitate the effective implementation of the Program.

We appreciate the Council's emphasis on the timely results from USGS investigations. We are working to complete modeling and assessments of potential salinity control measures at the Paradox Valley Unit (PVU) in Colorado. These data and analyses will be conveyed to the CRBSCP as well as the Bureau of Reclamation's (Reclamation) PVU staff and their Alternative Study Environmental Impact Study Team to assist with understanding the feasibility and efficiency of potential control measures. The USGS is beginning a new phase of investigation at Pah Tempe Springs to improve understanding of the hydrogeologic characteristics of the spring complex that are relevant to salt-load mitigation through pumping. We are working closely at Pah Tempe with Reclamation and the Washington County Water Conservancy District to drill wells in the fault zone and to establish a data set and assessment tools to support the design of a mitigation project. The initial drilling of wells in the fault zone and geothermal system did not yield necessary data and a second drilling effort is being planned in cooperation with the Science Team, Work Group, and Washington County Water Conservancy District. The USGS completed an assessment of the trends in baseflow and baseflow salinity loads in the Upper Colorado River Basin (UCRB) and provided a briefing January 24, 2018, to Deputy Assistant Secretary for Water and Science, Andrea Travnicek.

We encourage the Council to communicate with Mr. David Susong, Director of the USGS Utah Water Science Center and current USGS representative to the Colorado River Basin

Mr. Eric Millis

2

Salinity Control Forum. We would be pleased to provide a briefing on USGS activities in support of the CRBSCP and to report on progress results, as appropriate, at any stage of the work.

The USGS will continue to be an active participant in the Salinity Control Program Science Team and recognizes the benefit of that participation in the development of collaborative and relevant research in support of CRBSCP activities. In particular, we recognize the importance of long-term data collection to the CRBSCP and 20-gage network in providing key data for the management of salinity in the UCRB.

Again, thank you for the opportunity to respond to and address the Council's comments and recommendations. If you would like an additional information or have questions, please contact Mr. David Susong at (801) 908-5033, or [ddsusong@usgs.gov](mailto:ddsusong@usgs.gov).

Sincerely,



William H. Werkheiser  
Deputy Director  
Exercising the Authority of the Director  
of the U.S. Geological Survey

Copy to: Don A. Barnett, Executive Director, CRBSC Forum  
Kib Jacobson, Designated Federal Officer, CRBSC Advisory Council



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE Colorado Ecological Services



IN REPLY REFER TO:  
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ES/CO: BR/Salinity  
TAILS 06E24100-2018-CPA-0008

April 10, 2018

Eric Millis, Vice Chairman  
Colorado River Basin Salinity Control Advisory Council  
1594 West North Temple, Suite 310  
Salt Lake City, Utah 84116

Dear Mr. Millis:

We have reviewed the Advisory Council Annual Report (Report) on the Colorado River Basin Salinity Control Program-2017, and offer the following response to comments addressed to the U.S. Fish and Wildlife Service (Service).

The Service participates in the Salinity Control Program by providing independent review and oversight of program aspects dealing with fish and wildlife resources, including our assessment of the degree to which fish and wildlife have received due consideration in project planning and incidental fish and wildlife values foregone have been replaced. The Service also provides technical assistance on fish and wildlife resource impact assessment, restoration, and management through implementation of Federal statutes including the Endangered Species Act (ESA), Fish and Wildlife Coordination Act, National Environmental Policy Act, and the Migratory Bird Treaty Act (MBTA).

We continue to consult under Section 7 of the ESA with the Bureau of Reclamation (Reclamation) and the Natural Resource Conservation Service (NRCS) on both salinity control and wildlife replacement projects that may impact listed species and their critical habitats. Salinity control piping projects often involve water depletions, which affect the endangered fish in the Colorado River Basin. Several other listed species occupy wetlands and riparian areas, such as the yellow-billed cuckoo (*Coccyzus americanus*) and Ute ladies'-tresses orchid (*Spiranthes diluvialis*), and can be affected by projects related to salinity control.

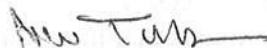
In your report you acknowledge the role of the Service in finding, reviewing, and supporting viable wildlife replacement projects, as well as reviewing and tabulating replacement acres within each salinity control area. We will continue these activities and assist the other agencies in moving the Salinity Control Program forward. We will continue to work with Reclamation and NRCS to come up with habitat replacement plans that all parties, including state wildlife management agencies, agree will provide long term habitat replacement.

It has been recognized that there is a need to consider "off-site" projects to be able to fully replace wildlife values foregone in several salinity control areas. In the past, the Fish and Wildlife salinity coordinator has reviewed and approved some off-site habitat replacement proposals presented to us by NRCS. Because it has been very challenging for NRCS to come up with replacement projects with willing landowners, the Service continues to remain flexible and allow some off-site replacement to be credited to designated salinity control areas. As noted in your Report, the Advisory Council and the Service would rather have something on the ground and be proportional and concurrent, than to restrict wildlife replacement opportunities for only on-site replacement.

This year we have begun assisting Reclamation with an update of the Wildlife Habitat Evaluation Procedures to add clarity and flexibility for habitat replacement projects. Once complete, the updated procedures will facilitate habitat scoring for habitat replacement projects such as that contemplated for Olsen Reservoir, south of Price, Utah. The Salinity Control Coordinator has been, and will continue to be, directly involved with the habitat replacement component of this complex, multi-agency effort.

The Service will continue to provide the Salinity Control Forum and Advisory Council the latest relevant developments with regards to the MBTA and the ESA. Last December a new interpretation of "take" under the MBTA was issued by the Principal Deputy Solicitor of the Department of the Interior (DOI). This new interpretation is outlined in Memorandum 37050 (the "M Opinion"). No DOI or Service regulations have yet been modified to reflect this latest M Opinion, nor has the MBTA itself been altered. We will continue to keep the Salinity Control Forum and Advisory Council apprised of the latest developments on this front. Migratory Birds remain a trust resource and the Service will continue to promote the conservation of migratory birds while simultaneously assisting the Advisory Council and the Salinity Control Forum with the Salinity Control Program. We will continue to work with the Federal partners to address fish and wildlife values foregone and assist with meeting their mitigation goals. Please contact Creed Clayton, acting Salinity Control Coordinator, on any wildlife habitat related issues at (970) 628-7187.

Sincerely,



Ann Timberman  
Western Slope Supervisor

cc: Kib Jacobson, Program Manager, Colorado River Basin Salinity Control Program, U.S. Bureau of Reclamation, 125 S. State Street, Room 8100, Salt Lake City, UT 84138

Don A. Barnett, Executive Director, Colorado River Basin Salinity Control Forum, 106 West 500 South, Suite 101, Bountiful, UT 84010



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Ref: 8WP-CWP

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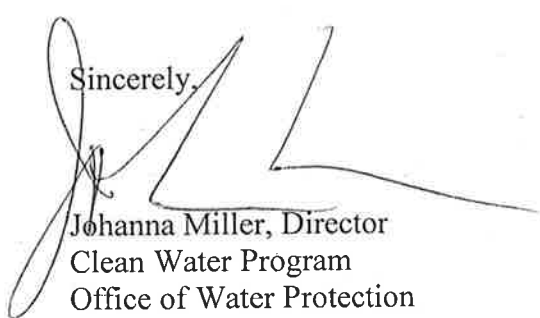
Dear Mr. Millis:

Thank you for your letter transmitting the 2017 Annual Report on the Colorado River Basin Salinity Control Program. We appreciate the recognition of the EPA's participation and support for the 2017 triennial review of the Water Quality Standards for Salinity. Consistent with your recommendation, we will continue to support individual states and tribes, where applicable, when they forward adopted standards for approval.

We clearly understand the importance of the Paradox Valley Unit and the ongoing Environmental Impact Statement process. As a cooperating agency in the process, our Underground Injection Control and National Environmental Policy Act program representatives will continue to support the review efforts of the Bureau of Reclamation.

Finally, staff at EPA Region 8 will continue to represent the EPA in the Colorado River Salinity Control coordination efforts.

Sincerely,

  
Johanna Miller, Director  
Clean Water Program  
Office of Water Protection

cc: Kib Jacobson  
Program Manager, Colorado River Basin Salinity Control Forum  
U.S. Bureau of Reclamation

Don A. Barnett  
Executive Director, Colorado River Basin Salinity Control Forum